

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GRACE ABRANTES,	:	Civil No. 1:23-CV-01324
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
COLLEEN SMITH,	:	
COMMONWEALTH OF	:	
PENNSYLVANIA DHS REGIONAL	:	
PROGRAM REPRESENTATIVE, et	:	
al.,	:	
Defendants.	:	Judge Sylvia H. Rambo

ORDER

AND NOW, this 28th day of August, 2024, upon consideration of Defendants' motions to dismiss (Docs. 17, 19) for failure to state a claim pursuant to Federal Rule of Civil of Procedure 12(b)(6), and in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED** as follows:

1. COUNT I is **DISMISSED with prejudice** insofar as it alleges Plaintiff's children were taken and her name placed on the ChildLine Registry without a pre-deprivation hearing. Insofar as Plaintiff alleges reputational damage stemming from Defendants contacting her employers and the agency licensing her prospective youth residential facility, Count I is **DISMISSED without prejudice**. The County Defendant's motion is otherwise **DENIED** with respect to Plaintiff's allegations regarding the coercive agreement noted in the amended complaint and Smith's motion is otherwise **GRANTED** with respect to the same allegations;
2. COUNT II is **DISMISSED with prejudice** in its entirety as to Smith, and as to the County Defendants it is **DISMISSED with prejudice** except for the allegations regarding the denial of notice and hearing;

3. COUNT III is **DISMISSED with prejudice**;
4. COUNT IV is **DISMISSED without prejudice** as to the County Defendants and **with prejudice** as to Smith; and
5. Plaintiff is granted leave to amend within thirty days of the date of this order all counts not dismissed with prejudice.

IT IS SO ORDERED.

/s/ Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge